UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI SOUTHEASTERN DIVISION

STEVEN DUANE KIDERLEN,)	
Plaintiff,)	
v.)	No. 1:08-CV-156 CAS
TOMMY GREENWELL, et al., Defendants.)))	

ORDER

This matter is before the Court on plaintiff's motion for temporary restraining order. The motion will be summarily denied.

To determine whether preliminary injunctive relief is warranted, the Court must balance the threat of irreparable harm to movant, the potential harm to the nonmoving party should an injunction issue, the likelihood of success on the merits, and the public interest. Dataphase Sys. v. CL Sys., 640 F.2d 109, 113-14 (8th Cir. 1981) (en banc). There are no allegations in the complaint or in the motion for temporary restraining order that plaintiff will suffer any irreparable harm should an injunction not issue. As a result, there is no basis for granting injunctive relief at this time, and the motion will be denied.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for temporary restraining order is **DENIED**. [Doc. 3]

CHARLES A. SHAW UNITED STATES DISTRICT JUDGE

Dated this <u>27th</u> day of October, 2008.